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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/403,183	10/18/1999	HIROSHI MACHIDA	56318.255228	6953

27496 7590 03/08/2005

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EXAMINER

HARPER, KEVIN C

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/403,183

Applicant(s)

MACHIDA ET AL.

Examiner

Kevin C. Harper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-11, 16-18, 23-25, 30 and 32 is/are rejected.
- 7) ☒ Claim(s) 12-15, 19-22, 26-29 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 October 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10-1999</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9, 11, 16, 18, 23, 25 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney et al. (US 6,594,361) in view of Davidian et al. (US 5,710,767).

1. Regarding claims 9, 11, 16, 18, 23 and 25, Chaney discloses a digital information receiving system (fig. 1) including a first unit (items 120 and 160) and several second units (item 180; fig. 9, cards 1 and 2; col. 13, lines 51-54) that are detachable from the first unit (col. 15, lines 2-3; fig. 10, items 1010 and 1020) to form a daisy chain connection (col. 13, lines 51-62; fig. 9; note: multiple cards in series), where the second units receive digital information (col. 4, lines 43-46) and apply processing to the digital information and send back the processed digital information to the first unit (col. 13, line 63 through col. 14, line 7; col. 15, lines 13-27; fig. 9,

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DATA OUT). The system comprises switches to individually incorporate second units into the daisy chain (fig. 9, items S1-S4).

2. However, Chaney does not disclose an abnormality detector and switches and a controlling means to disconnect the second unit from the daisy chain when an abnormality is detected. Davidian discloses a controller and switching means (fig. 2, item 210; fig. 4, items 440, 420, 420 and 470) to individually disconnect an abnormal processing unit (fig. 2, item 227) in a daisy chain (col. 1, lines 40-41) based on an abnormality signal from an abnormality detecting means (col. 4, lines 1-12 and 23-26). The detection is made by determining bit errors (col. 5, lines 56-61). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to detect and disconnect a defective processing card in the invention of Chaney in order to prevent the defective card from blocking or corrupting a signal to be processed by other cards in the daisy chain.

3. Regarding claim 32, in Chaney the signal is a digital broadcast signal (col. 3, lines 13-16).

Claims 10, 17 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney et al. in view of Davidian et al. as applied to claims 9 or 16 23 above, and further in view of Pandolfo (US 5,367,668).

4. Regarding claim 10, 17 and 24, Chaney in view of Davidian discloses serially connected cards having bypass fault tolerance. However, Chaney in view of Davidian does not disclose detecting a packet synchronization signal to determine the abnormality of the cards. Pandolfo discloses detecting a defective component (fig. 2, items 11-12) using a synchronization signal (col. 2, lines 45-51). Therefore, it would have been obvious to one skilled in the art at the time

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the invention was made to detect a fault according to a packet synchronization signal in the invention of Chaney in view of Davidian in order to mark as faulty a component causing excessive processing delay or timing offset.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chaney et al. in view of Davidian et al. as applied to claim 9 above, and further in view of Whiteside et al. (US 4,323,966).

5. Chaney in view of Davidian does not disclose displaying contents of an abnormality. Whiteside discloses displaying an abnormal condition (col. 57, lines 12-15). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have an indication of a fault in the invention of Chaney in view of Davidian in order to notify a user or operator of the system that a fault has occurred.

Allowable Subject Matter

6. Claims 12-15, 19-22, 26-29 and 31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 571-272-3166. The examiner can normally be reached weekdays from 11:30 AM to 7:00 PM ET.

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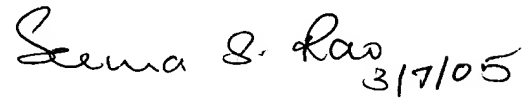
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 571-272-3174. The centralized fax number for the Patent Office is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only (applications must be associated with a customer number). For more information about the PAIR system, see portal.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin C. Harper

March 5, 2005



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